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FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 7768
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS IMMEDIATE
RHEHNSC/NSC WASHDC PRIORITY
RUEHBY/AMEMBASSY CANBERRA 1928
RUEHKO/AMEMBASSY TOKYO 1452
RUEHWL/AMEMBASSY WELLINGTON 2275
RUEHBJ/AMEMBASSY BEIJING 4673
RUEHNE/AMEMBASSY NEW DELHI 1544
RUEHPB/AMEMBASSY PORT MORESBY 3638
RUEHBAD/AMCONSUL PERTH 0543
RHHJJPI/USPACOM HONOLULU HI
RUEAIIA/CIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 000173

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DEPT FOR EAP, EAP/MTS, EAP/MLS, EAP/RSP, DRL, DRL/AWH,
INR/EAP
NSC FOR EPHU

E.O. 12958: DECL: 01/28/2017

TAGS: PGOV KJUS PREL ID

SUBJECT: COURT REINSTATES CONVICTION IN KEY HUMAN RIGHTS
CASE

REF: JAKARTA 112 AND PREVIOUS

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Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b+d).

¶1. (C) SUMMARY: In a landmark ruling for accountability, the Supreme Court on January 25 reinstated the conviction of the chief suspect and sentenced him to 20 years in prison for the murder of human rights activist Munir. Immediately after the ruling, the Indonesian National Police (INP) announced that it will launch an investigation into whether there was a wider conspiracy. Human rights activists hailed the ruling, thanking the USG and the international community for pressing the Indonesian government to move forward on the case. END SUMMARY.

A REVERSAL BY THE COURT

¶2. (C) The Indonesian Supreme Court has made a dramatic ruling in a key human rights case. In a decision reversing its 2006 acquittal, the Court on January 25 reinstated the conviction of Polycarpus Budihari Priyanto for the premeditated murder of human rights activist Munir Said Thalib. (Note: Munir--who had often accused the security services of human rights violations, including during the Suharto period--was poisoned and died on a plane flight between Singapore and Amsterdam in October 2004.) In taking the action, the Court also increased Polycarpus' sentence from the original 14 years to 20 years. The Court said the conviction was based on new evidence. (Note: Since the GOI reopened the case in January 2007, police and the Attorney General's Office have uncovered new forensic evidence, and persuaded new key witnesses to provide startling testimony linking Polycarpus to the murder and an apparent wider conspiracy--see reftels.)

POLICE LAUNCH INVESTIGATION

¶3. (C) There could be more shoes to drop. New documentation and testimony have linked the killing with State Intelligence Agency (BIN) agents and officials. Immediately following the January 25 verdict, the national police spokesman told the

media that the INP will launch a formal investigation into whether there was a conspiracy to murder Munir. The attorney for Munir's widow Suciwati, Usman Hamid, told DepPol/C January 28 that he had spoken to key police officials who said former BIN Deputy Director Muchdi Purwopranjono could be arrested.

¶4. (C) A key witness linking Muchdi to the murder is BIN agent Budi Santoso, currently assigned to the Indonesian Embassy in Pakistan. According to a police transcript of the Santoso interrogation presented in court in January, Santoso delivered payments to Polycarpus at Muchdi's request, including one payment Santoso delivered to Polycarpus in Muchdi's office with Muchdi present (See reftels). The case also implicates current BIN Deputy Director As'ad Ali for signing the letter.

¶5. (C) Separately, the trial of former Garuda Airlines director Indra Setiawan on lesser charges of abetting the murder, by authorizing Polycarpus to be on the same flight with Munir, will continue into February. However, Setiawan's involvement could go deeper, Hamid told DepPol/C. According to Hamid's police sources, Setiawan is a long-time BIN agent who operated undercover with the state-owned airline Garuda, and is implicated in a drug smuggling operation between Europe and Indonesia using Garuda flights. Hamid claims police are using this evidence to pressure Setiawan into revealing everything he knows regarding the Munir case. The head of the police investigation told DepPol/C in October that they hoped that the prosecution of Polycarpus and Setiawan would lead to higher links in the chain, and prosecutions of anyone else involved in the slaying.

A POSITIVE REACTION

¶6. (C) Observers and human rights activists hailed the
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Supreme Court's ruling, which received widespread coverage in local media. Alvin Lee, a member of the national legislature, told Pol/C on January 28 that the Supreme Court's reversal of its previous ruling was "absolutely thrilling, a sign that there will be real accountability in this country." Munir's widow Suciwati praised the Court's reversal of its earlier ruling. That said, she told DepPol/C on January 28 that she was not satisfied that Polycarpus' sentence was not for life and that she will not be content until all the persons involved in the murder are convicted. However, Suciwati added, she was optimistic that a noose of sorts was slowly tightening around the conspirators.

GOOD NEWS FOR ACCOUNTABILITY

¶7. (C) Polycarpus' conviction is a positive event. That said, more progress must be made. A full and honest accounting of any BIN involvement is crucial, for example. Human rights activists following the case specifically thanked the USG, noting how helpful our efforts have been in convincing the GOI to pursue justice, particularly in the past year when the Polycarpus case hung in the balance.
HUME